

Nuclear Regulatory Commission

§ 15.26

(c) The NRC shall normally send only one written demand to a debtor who is a current NRC employee. The procedure described in § 15.33 and 10 CFR part 16 will be followed if full payment is not received either 30 days from the date the initial written demand was mailed or hand delivered. If the NRC cannot obtain full payment by following the procedures described in § 15.33 and 10 CFR part 16, the NRC may follow other collection procedures described in this subpart.

(d) The failure to state in a letter of demand a matter described in § 15.21 is not a defense for a debtor and does not prevent the NRC from proceeding with respect to that matter.

[47 FR 7616, Feb. 22, 1982, as amended at 55 FR 32378, Aug. 9, 1990; 56 FR 51830, Oct. 16, 1991]

§ 15.23 Telephone inquiries and investigations.

(a) If a debtor has not responded to one or more written demands, the NRC shall make reasonable efforts by telephone to determine the debtor's intentions. If the debtor cannot be reached by telephone at the debtor's place of employment, the NRC may telephone the debtor at his or her residence between 7:00 a.m. and 10:00 p.m.

(b) The NRC may undertake an investigation to locate a debtor if the whereabouts of a debtor is a problem, or if a debtor cannot be contacted by telephone.

(c) The NRC, under 15 U.S.C. 1681(f), may obtain consumer credit information from private firms, including the name, address, former addresses, place of employment, and former places of employment of a debtor.

§ 15.25 Personal interviews.

(a) The NRC may seek an interview with the debtor at the offices of the NRC when—

(1) A matter involved in the claim needs clarification;

(2) Information is needed concerning the debtor's circumstances; or

(3) An agreement for payment might be negotiated.

(b) The NRC shall grant an interview with a debtor upon the debtor's re-

quest. The NRC will not reimburse a debtor's interview expenses.

[47 FR 7616, Feb. 22, 1982, as amended at 55 FR 32378, Aug. 9, 1990]

§ 15.26 Use of consumer reporting agencies.

(a) In addition to assessing interest, penalties, and administrative costs under § 15.37, the NRC may report a debt that has been delinquent for 90 days to a consumer reporting agency if all the conditions of this paragraph are met.

(1) The debtor has not—

(i) Paid or agreed to pay the debt under a written payment plan that has been signed by the debtor and agreed to by the NRC; or

(ii) Filed for review of the debt under § 15.26 (a)(2)(iv).

(2) The NRC has included a notification in the third written demand (see § 15.21(b)) to the individual debtor stating—

(i) That the payment of the debt is delinquent;

(ii) That, within not less than 60 days after the date of the notification, the NRC intends to disclose to a consumer reporting agency that the individual debtor is responsible for the debt;

(iii) The specific information to be disclosed to the consumer reporting agency; and

(iv) That the debtor has a right to a complete explanation of the debt (if that has not already been given), to dispute information in NRC records about the debt, and to request reconsideration of the debt by administrative appeal or review of the debt.

(3) The NRC has sent at least one written demand by either registered or certified mail with the notification described in paragraph (a)(2) of this section.

(4) The NRC has reconsidered its initial decision on the debt when the debtor has requested a review under § 15.26(a)(2)(iv).

(5) The NRC has taken reasonable action to locate a debtor for whom the NRC does not have a current address to send the notification provided for in paragraph (a)(2) of this section.

(b) If there is a substantial change in the condition or amount of the debt, the NRC shall—